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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/597,140	04/05/2007	Keith H. Ansell	MEWE-027	6560

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BOZICEVIC, FIELD & FRANCIS LLP
1900 UNIVERSITY AVENUE
SUITE 200
EAST PALO ALTO, CA 94303

EXAMINER	
SWOPE, SHERIDAN	
ART UNIT	PAPER NUMBER
1652	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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10597140	4/5/2007	ANSELL, KEITH H.	MEWE-027

BOZICEVIC, FIELD & FRANCIS LLP
1900 UNIVERSITY AVENUE
SUITE 200
EAST PALO ALTO, CA 94303

EXAMINER
SHERIDAN SWOPE

ART UNIT	PAPER
1652	20091209

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Commissioner for Patents

Applicants' election, with traverse, of Invention I(human RHBDL-2)(modulation of activity)(SEAP/6H/Spi/TGFa substrate)(cell culture) in their response of October 6, 2009 is acknowledged. The elected invention is directed to a cellular method for identifying a modulator of human RHBDL-2 activity using a "SEAP/6H/Spi/TGFa" substrate.

However, the identity of the elected substrate, "SEAP/6H/Spi/TGFa", remains undefined. Based on Figure 2, it is assumed that the abbreviation "SEAP" means alkaline phosphatase. Based on Figure 1, it is assumed that the abbreviation "6H" means a 6xHis tag. The identities of "Spi" and "TGFa" reamin unclear. The specification states:
(A) "FIG. 1 shows reporter (substrate) constructs used for rhomboid assays: …(d) SEAP/6H/Spi/TGFa." [0121]
(B) "All constructs were generated in the vector pcDNA3.1 (Invitrogen). The construction of TGFa/SPITZ chimeras has been described previously (Urban & Freeman, 2003). The chimera GFP/TGFa/Spi/TGFa (construct a; FIG. 1) consists of GFP fused to the sequence encoding the first 51 amino acids of human TGFa, Drosphila SPITZ (aa 119-160) and human TGFa (C) C-terminal region (aa 122-160)." [0127]
(C) "To obtain SEAP/6H/Spi/TGFa (construct d, FIG. 1), the construct GFP/6H/Spi/TGFa was digested with EcoRI and RsrII and the fragment was cloned into SEAP/TGFa/Spi/TGFa using the same sites." [0130]
However:
Regarding (A) Figure 1d fails to indicate any "Spi" segment.
Regarding (C) It is unclear: (i) what is meant by "the fragment was cloned into SEAP/TGFa/Spi/TGFa", (ii) whether the "Spi" of the elected substrate is Drosphila SPITZ (aa 119-160) (or something else) and what parent sequence said residues refer to, and (iii) whether the TGFa of the elected substrate is full-length TGFa, the first 51 amino acids of human TGFa, or the C-terminal region (aa 122-160) and what parent sequence said residues refer to.

Since the elected invention is so unclear, prosecution thereof is not possible.

Applicants are required to respond within one (1) month to clarify the elected substrate. The elected substrate should be identifed by either (i) a sequence identifier number (SEQ ID NO:) for the full length substrate or (ii) specific sequences (SEQ ID NO: or fragments thereof) for "Spi" and "TGFa".

/SHERIDAN SWOPE/
Primary Examiner, Art Unit 1652